

Appln No. 09/833,969

Amdt date March 9, 2005

Reply to Office action of December 9, 2004

REMARKS/ARGUMENTS

Claims 1-5 and 7-28 were pending in the application. Of these, claims 2, 4, 10-12 and 17-26 were withdrawn from consideration. The remaining claims, namely claims 1, 3, 5, 7-9, 13-16, 27 and 28 were rejected in the Office action mailed December 9, 2004. The claims were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,377,810 ("Geiger") in view of U.S. Published Patent Application US 2002/0068551 A1 ("Strunk Publication"). Applicant thanks the Examiner for attention to the application.

Claims 1, 2, 16, and 17 are now canceled. Accordingly, claims 3 and 5, 7-9, 13-15, 27, and 28 remain under consideration. Of these, claims 3 and 5 are independent claims. Claims 3 and 5 are now amended.

As an initial matter, the present application was filed on April 11, 2001. The present application also claims the benefit of the filing date of U.S. Provisional Patent Application No. 60/195,575 ("Priority Provisional"), filed April 11, 2000. The Strunk Publication was published on June 6, 2002. The publication is of an application (Application No. 09/731,110) filed December 6, 2000. This application, in turn, claims priority to Provisional Application No. 60/169,605, filed on December 8, 1999.

A copy of Provisional Application No. 60/169,605 ("Strunk Provisional") has been obtained from the Image File Wrapper System available on the United States Patent and Trademark Office website. A copy of the Strunk Provisional is submitted herewith on an Information Disclosure Statement. A review of

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the Strunk Provisional and the Strunk Publication indicates that the Strunk Publication contains additional matter not disclosed in the Strunk Provisional. In particular, it is noted that it appears the Strunk Provisional discloses receiving contact information from service provider database stations or local exchange carriers. See, e.g. Strunk Provisional, p. 5, lines 3 et. seq. It does not appear that the Strunk Provisional discloses receiving contact information from users.

Claim 3, as amended, specifies "receiving, from the user, additional data regarding the user." Similarly, claim 5 specifies "wherein the application server is further configured to store information received from and concerning an individual associated with the PCD in the user specific data space." See, e.g., application as filed, p. 8, lines 17-25 and Priority Provisional p. 1, lines 24-30, p. 2, lines 33-34, p. 3, lines 7-9 and p. 4, lines 2-8.

It is not believed that the Strunk Publication is a proper reference to the extent it contains additional matter not disclosed in the Strunk Provisional. Moreover, it appears that the Strunk Provisional does not disclose or suggest, whether or not in combination with Geiger, the inventions as claimed in claims 3 and 5.

Accordingly, it is believed that independent claims 3 and 5, and the dependent claims therefrom are allowable.

In addition, applicant notes that the Office action characterizes some data as "trivial" data. It is not clear to applicant as to the basis for characterizing data as trivial or

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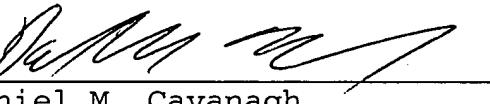
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non-trivial and support for same, if necessary, is respectfully requested in any further Office actions.

Accordingly, the application is now in condition for allowance and allowance of same is respectfully requested.

Respectfully submitted,

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